

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

**CHARLES W. LIPP,**

**PLAINTIFF**

**CASE NO. 2:09-CV-00991**

**v.**

**JUDGE GREGORY L. FROST**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL  
SECURITY,**

**MAGISTRATE JUDGE MARK ABEL**

**DEFENDANT**

**ORDER**

This matter is before the Court on Magistrate Judge Abel's October 5, 2010 Report and Recommendation. No objections have been filed to the Report and Recommendation. The Court, having reviewed the record *de novo*, determines that there is substantial evidence of record supporting the administrative law judge's determination that Plaintiff is not disabled within the meaning of the Act.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. § 636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation and **DENIES** Plaintiff's motion for summary judgment. The Court **GRANTS** Defendant's motion for summary judgment and **AFFIRMS** the decision of the Commissioner of Social Security. The Clerk of Court is **DIRECTED** to enter **JUDGMENT** for Defendant.

This case is hereby **DISMISSED**.

**IT IS SO ORDERED.**

/s/ Gregory L. Frost  
GREGORY L. FROST  
UNITED STATES DISTRICT JUDGE